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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(HOUSING II BRANCH)

NOTIFICATION

The October 18, 2018

No. 12/01/2017-5hg2/1806.-Whereas, the Government of Punjab in order to bring unauthorized colonies under a planned framework and to provide basic facilities to the residents of these colonies had enacted the Punjab Laws (Special Provisions) Act, 2013, which was re-enacted in the year 2014 and further re-enacted in the year 2016 under which the policies -No. 12/2/2013- 5HG2/ 3052 dated the 21st August, 2013 (amended vide No. 12/2/13-5Hg2/ 4017, dated the 5th November, 2013), No. 12/2/13-5Hg2/332385/1, dated the 28th October, 2014, No. 12/04/16-5Hg2/ 891764/1, dated the 15th December, 2016 were notified for the compounding of unauthorized colonies and for the regularization of plots/ buildings falling under unauthorized colonies;

1.2 Whereas, during the implementation of these policies, a total number of 6662 applications were received for regularization of unauthorized colonies out of which 3377 fall within Municipal limits and the remaining 3285 colonies are outside municipal limits, 2565 of these colonies have already been approved. Besides this, 380912 plot/ building owners had applied for regularization of their plots/ buildings to different Local Bodies and Special Development Authorities. Out of these plots, 333634 plot/ buildings have been regularized by different Competent Authorities;

1.3 Whereas, pursuant to the enactment of the Punjab Laws (Special Provisions) for Regularization of Unauthorized Colonies Act, 2018, (Punjab Act 10 of 2018) (hereinafter referred to as the 'said Act'), Policy No. 12/01/2017-5Hg2/1130, dated the 20th April, 2018 was notified, but various stakeholders requested the Government for certain amendments to this Policy. In particular, the Association of Colonizers of Punjab have brought to the notice of Government certain difficulties in the implementation of the various policies and whereas Government desires to remove such difficulties in the interest of the general public.

1.4 Now, therefore, in exercise of the powers conferred by the section 9 of the said Act and all other powers enabling him in this behalf, the Governor of Punjab is pleased to notify this policy for the compounding of unauthorized colonies and for the regularization of plots and buildings falling within such colonies and to prevent the future growth of unauthorized colonies in the State of Punjab under the provisions of the said Act, namely:-

2. Background:

2.1 The Government has enacted the Punjab Apartment and Property Regulation Act, 1995 (Punjab Act 14 of

1995) (hereinafter referred to as the said Act of 1995), which was amended in the year 2014 and the provision of sub-section (1) of Section-36 deals with the offences by promoters or agents provides that *"any person or promoter or his agent registered under the act, without reasonable cause fails to comply with or contravenes the provisions of sections 3,5,6,9 or 15 shall, on conviction, be punished with imprisonment for a minimum term of three years which may extend to seven years and with minimum fine of rupees two lac, which may extend to rupees five lac"*.

Previously also to facilitate the compounding of offences by the promoters, rule 31 was added in the Punjab Apartment and Property Regulation Rules, 1995 in December, 2010 and a regularization policy was framed in 2010, but most of the unauthorized colonies could not fulfill the provisions as contained in rule 31(3) (b), (c), (d) and (e) of the said rules of 1995 which read as follows:-

- (a) the width of access road to such colony shall not be less than thirty-five feet;
- (b) the width of the internal roads in such colony shall not be less than twenty-five feet;
- (c) in the layout plan of such colony, the land reserved for roads, open spaces, schools and public and community buildings and other common purposes, shall not be less than thirty-five percent of the gross area of such colony; and
- (d) such colony must have a site for water works and Sewage Treatment Plant or it should have been linked with the water supply and sewerage laid down by a local authority in the area of such colony.

The problem of unauthorized colonies continued and the Government in order to provide basic services such as potable water, sewerage facilities, pucca roads and electricity to the residents of these colonies again framed regularization policies for unauthorized colonies in the year 2013, 2014 and 2016 under the provisions of the Punjab Laws (Special Provisions) Acts enacted in the year 2013, 2014, and 2016 respectively.

In spite of these efforts, not many promoters of unauthorized colonies have opted for getting their offences compounded under these policies. Such unauthorized development is not only defeating the very objective of planned development but it has also resulted in shortage of civic infrastructure in urban areas of the State.

2.2 Therefore, in order to bring all these unplanned colonies into the fold of planned development and to ensure provision of basic amenities for better quality of life to the residents of these colonies and to give another chance to those colonizers and plot holders who could not apply earlier and to dispose of the pending applications, it is proposed to give one more opportunity through this policy. Since completing the entire internal development work as well as external development work may have huge financial implications, the liability of the Government to provide these services shall be limited to the collection of funds under this policy. There shall be no further responsibility of Urban Local Bodies or Development Authorities to provide services and infrastructure beyond the funds collected from the individual colony (including its plot holders/building owners).

3. (1) Definitions.- In the Policy, unless the context otherwise requires,-

- (i) **"built up"** means a construction with pucca roof which is intended to be used for Residential or Commercial or Industrial or Institutional purpose or any habitable use;
- (ii) **"Competent Authority"** means (a) Chief Administrator of the concerned Special Development Authority in case of area falling outside municipal limits, (b) Commissioner Municipal Corporation, in case of area falling within municipal corporation limits and (c) Regional Deputy Director, Local Government for the area falling within municipal limits of Municipal/Nagar Councils;
- (iii) **"composition fee"** means a fee levied for developing a colony without getting required approvals from the competent authority;
- (iv) **"development of unauthorized colony"** means the process of developing a colony by subdividing

land physically, including by way of demarcating katcha roads or by constructing pucca roads or where stone metal has been laid out or where services like water supply, sewer, electrical, parks or water works or sewer treatment plant or boundary wall or any one of these activities has been carried out or are in the process of being carried out;

- (v) **"Developer"** means a person who has developed or is developing an unauthorized colony and shall include the owner of the land or the person who entered into an agreement to develop or Power of Attorney holder on behalf of the land owner, or any other person who was associated with the sale of land or development of unauthorized colony;
- (vi) **"High Rise Building"** means any building which is fifteen meter or above in height;
- (vii) **"Plot Holder"** means a person who holds title to a plot through a registered sale deed or power of attorney or sale agreement or any other legally valid document;
- (viii) **"Public Building"** means a building used or constructed or adapted to be used either ordinarily or occasionally as a place open to general public and it includes a hospital, college, school, theatre, public concert room, public lecture room, public exhibition hall or as a public place of assembly or entertainment for persons admitted thereto by tickets or otherwise, or used or constructed or adapted to be used either ordinarily or occasionally for any similar public purposes;
- (ix) **"Public Land"** means the land owned by the Central or the State Government or Boards or Corporations constituted under any Central or State law or owned by the Central or State Government including the land owned by the Gram Panchayat or Municipality;
- (x) **"Regularization Charge"** means a charge to be paid for regularizing the unapproved plots/buildings;
- (xi) **"Residents Welfare Association (RWA)"** means a cooperative society registered under the Societies Registration Act, 1860 of the plot holders of an unauthorized colony, provided that in case the said Association is not registered, it shall be mandatory to get it registered with the authority concerned within three months from the date of publication of this Policy;
- (xii) **"Sold"** means sale by way of registered sale deed or through power of attorney or through sale agreement or through lease in case of commercial built-up:

Provided that in case sale is through sale agreement or power of attorney then it shall be mandatory for the colonizer as well as plot holders to get the sale deed registered with in a period specified in the policy hereinafter;

- (xiii) **"Unauthorized Colony"** means a colony which has been developed in contravention of the provisions of the Punjab Apartment and Property Regulation Act, 1995 and rules made there under;
- (xiv) **"Unauthorized Commercial Colony"** means a colony whose area under commercial use is 25% or more; and
- (xv) **"Unauthorized Building"** means a building constructed in violation of the provisions of the Punjab Regional and Town Planning and Development Act, 1995 or the Punjab Apartment and Property Regulation Act, 1995 or the Punjab Municipal Corporation Act, 1976 or the Factories Act, 1948 or the Punjab Town Improvement Act, 1922 or the Punjab Municipal Act, 1911;

- (2) The terms and expressions which are not defined in this Policy shall have the same meaning as assigned to them, in the respective Acts/ Rules/ Regulations/ Byelaws unless the context otherwise requires.

4. Applicability of policy.- This policy shall be applicable from the date of its publication in the official Gazette in the entire State of Punjab, including municipal limits falling under the Punjab New Capital (Periphery) Control Act, 1952. However, the policy shall not be applicable in the remaining area

covered under the Punjab New Capital (Periphery) Control Act, 1952. This policy shall also not be applicable to a colony comprised of apartments.

4.1 Regularization of unauthorized colony and plots/ buildings falling within unauthorized colonies with respect to provisions of Master Plan.- The unauthorized colonies and plots/ buildings falling within unauthorized colonies developed before 1st April, 2013 shall be regularized irrespective of the land use and other proposals of the Master Plan. The unauthorized colonies and plots/ buildings falling within unauthorized colonies developed after 1st April, 2013 shall not be regularized if the site of the colony and plots/ buildings falling within unauthorized colonies contravenes the land use and other proposals of the Master Plan. However, in case of a colony and plots/ buildings falling within unauthorized colonies which have been developed after 1st April, 2013 but before the notification of Master Plan of that area can be considered for regularization as per the provisions of this Policy irrespective of the land use and other proposals of the Master Plan.

It has further been observed that some residential colonies with small sizes of plots have come up in industrial zone of the Master Plans where mainly poor industrial workers are living nearby to their workplaces. So, in order to bring them in the purview of this policy, residential colonies and plots/ buildings falling within these unauthorized colonies in industrial zone of the Master Plans may be considered for regularization as per the provisions of this policy after taking no objection certificate from the Punjab Pollution Control Board (PPCB) subject to the condition that at least 25% of the plots of the colony shall be built-up.

4.2 No unauthorized colony, plot/ building in unauthorized colonies will be regularized in the following situations, namely:-

- (i) On any public land including land belonging to Gram Panchayat (such as Shamlat Lands including Jumla Mushtarka Malkaan), Municipal Land, Waqf Board or Land under the Punjab Land Preservation Act, 1900, Land delisted from the Punjab Land Preservation Act, 1900, area under choe etc.;
- (ii) Restricted areas under the Works of Defence Act, 1903, the Ancient Monuments and Archaeological Sites and Remains Act, 1958, the Punjab New Capital (Periphery) Control Act, 1952 (except as mentioned in Para 4 and 4.1 or any other Act prohibiting the development of colonies or buildings in a particular area);
- (iii) Within the restricted zone near the Airport/Defence land;
- (iv) Area of colony which falls in restricted area along scheduled roads and National Highway or any other restricted area under any other law;

Provided, however, that if part of such colony falls outside such area then such part may be considered for regularization under this policy;

- (v) In case of sites in the vicinity of oil/ gas pipelines, clear distance and other stipulations of the respective authority shall be complied with;
- (vi) This policy shall not cover the unauthorized Marriage Palaces and the unauthorized stand-alone buildings for which the Government has notified separate policies; and
- (vii) No colony shall be regularized unless the case is submitted by either colonizer/developer or Residents Welfare Association or Co-operative Society members of the concerned colony.

5. Objectives.- The objectives of this Policy are as under:-

- (i) To bring all unauthorized colonies/ buildings, wherever feasible into planning framework and to regularize the development;
- (ii) To facilitate the implementation of Master Plans;
- (iii) To improve the circulation pattern of streets/ road;

- (iv) To facilitate provision of basic amenities to residents/ plot holders of these areas;
- (v) To make provisions to regularize and to compound offences under the Punjab Regional and Town Planning and Development Act, 1995, the Punjab Apartment and Property Regulation Act, 1995, the Punjab Municipal Corporation Act, 1976, the Factories Act, 1948, the Punjab Town Improvement Act, 1922 and the Punjab Municipal Act, 1911.

6. Cut-off date of application for regularization.- (i) New applications of unauthorized colonies developed before the 19th March, 2018 and plots/ buildings falling under these colonies will be received under this policy for regularization;

- (ii) The developer or the Residents Welfare Association of an unauthorized colony may submit an application with the Competent Authority in the prescribed format for compounding of the unauthorized colony within a period of **four months** from the date of publication of this policy. Provided that no new application will be accepted after four months from the publication of this policy. Applications received for regularization of colonies before the last date of submission of application under this policy and the pending applications received under the previous policies, if any will be disposed off **within two year** from the date of demand notice; and

- (iii) Only after fulfilling all the requirements of this policy and after full and final payment, the final regularization certificate shall be given to the applicant.

7. Categories of Unauthorized Colonies.- The unauthorized colonies under this Policy shall be categorized into following four groups:-

- (a) Where upto 25% of the plots are sold.
- (b) Where above 25% to 50% of the plots are sold.
- (c) Where above 50% of the plots are sold.
- (d) Special Provisions for exceptional colonies with more than 75% of the plots built-up.

(a) Where upto 25% of the plots are sold.-

In this category of colonies, most of the area is available for re-planning, therefore, in order to bring these colonies at par with the norms as laid down under the present Act/ Rules/ Instructions, the area which is un-built/ vacant can be demarcated and frozen for widening of the roads/ streets, spaces for parks, water works, public building etc. as per norms applicable to approved colonies under said Act of 1995. The developer will not be required to obtain a regular license under said Act of 1995 but he will be issued a regularization certificate and a revised layout plan of the colony shall be approved by the competent authority keeping in view the following norms (apart from other norms as applicable) while approving the layout plans. The minimum 35% area shall be kept under roads, parks etc., however, the minimum area required for a colony shall not be applicable in this case. The colonizer shall be responsible to fulfill the following conditions in addition to any other condition imposed by the Competent Authority while issuing the regularization certificate, namely:-

- (i) No road in a colony shall be less than 30' wide;
- (ii) Approach road to the colony shall be as per the prevailing guidelines;
- (iii) The area under parks shall not be less than 5%; and
- (iv) The Change of Land Use (CLU), External Development Charges (EDC), License Fee (LF)/ Permission Fee (PF) and Social Infrastructure Funds (SIF) charges shall be paid as applicable to a licensed colony under said Act of 1995. The schedule of payment shall be as applicable to approved colonies under said Act of 1995.

The above charges are being levied as sufficient number of plots for sale will be available with the

colonizer and after composition of colony, the said colony shall be at par with the approved colony. So, the rate of sale of the remaining plots shall be high as compared to already sold plots. However, no composition fee shall be charged in this category.

(b) Where above 25% to 50% of the plots are sold.-

In such colonies where the roads and the basic amenities have not come up to the norms as laid down under the provisions of law and guidelines but some area is available which could be utilized for providing minimum required infrastructure viz; parks, water works, sewerage treatment plant and other amenities. The unsold plots in such colonies shall be utilized for providing requisite area under parks/ open spaces, water supply, sewerage etc.

There shall not be any restriction in saleable area. However, the colonizer shall be responsible to fulfil the following conditions in addition to any other condition imposed by the Competent Authority while issuing the regularization certificate, namely:-

- (i) No road in a colony shall be less than 20' wide;
- (ii) The area under parks shall not be less than 3%;
- (iii) Space for provision of Sewerage Treatment Plant / Water Works as prescribed table below:

S.No.	Utility	Minimum Area Required
i.	Tube Well	100 sq.yd
ii.	Sewerage Treatment Plan	
	Upto 10 Acres	150 sq.yd
	Above 10 Acres upto 15 Acres	200 sq.yd
	Above 15 Acres upto 25 Acres	300 sq.yd
	Above 25 Acres	500 sq.yd
iii.	Site for any other utility (Electric Sub-Station etc.) for 20 acre and above	100 sq.yd

(c) Where beyond 50% of the plots are sold.-

In such colonies the extent of sold area being on the higher side it may not be possible for the promoter to provide required minimum area under roads, parks, water supply, sewerage and other facilities as required under approved colonies under said Act of 1995. Such colonies may be regularized on as is where is basis, but there may be some space available for the provision of minimum basic amenities, therefore, in this category of colonies, the compounding shall be guided by the following parameters:-

- (i) There shall not be any restriction in saleable area;
- (ii) No road in a colony shall be less than 18' wide*;
- (iii) There shall be no stipulation for the provision of the park; and
- (iv) Space for provision of Sewerage Treatment Plant / Water Works as prescribed table below:

S.No.	Utility	Minimum Area Required
i.	Tube Well	100 sq.yd
ii.	Sewerage Treatment Plan	
	Upto 10 Acres	150 sq.yd
	Above 10 Acres upto 15 Acres	200 sq.yd
	Above 15 Acres upto 25 Acres	300 sq.yd

	Above 25 Acres	500 sq.yd
iii.	Site for any other utility (Electric Sub-Station etc.) for 20 acre and above	100 sq.yd

* In this category of colonies where the road width is 18'-0" or above but less than 20'-0", it shall be mandatory for the plot holders of the vacant plots to leave requisite strip of land from their plots proportionately on each side of the road for road widening, to make it 20'-0" wide.

(d) Special Provisions for exceptional colonies with more than 75% built up.-

There may be some colonies with large built-up area which may not be covered in any category of colonies specified in para 7 (a),(b) and (c) and where the width of street/ roads may be less than 18 feet. The road widening in such colonies and provision of a space for a pumping station and park etc. may also not be feasible but at the same time, the safety and security of the public has to be protected and basic facilities like potable water supply, sewer, pucca road, electricity would be required. Therefore, the regularization of such colonies shall be considered by the committees constituted under this policy, on as is where is basis subject to the condition that if the minimum road width in the colony is less than 18'-0" in that case the width of the roads shall be sufficient for the movement of fire tender and No objection certificate in this regard shall be obtained from the concerned fire officer. Further one utility area of minimum 200 sq.yd shall be mandatory.

Every application of such colony, submitted to the committee for regularization may be considered subject to the following conditions:-

- (i) Each such colony shall have an Residents Welfare Association which shall take action as per the following clauses and give a certificate to the Competent Authority of having taken necessary action;
- (ii) The residents of such colonies shall be made aware by the Residents Welfare Association against the risk of fire and earthquake etc;
- (iii) The entire colony shall be provided fire hydrants as per norms of the fire department of Punjab;
- (iv) The telephone numbers for emergency help of the department of Police, Health and Fire Brigade shall be displayed on suitable places by the Residents Welfare Association; and
- (v) The Residents Welfare Association shall educate the residents against the storage of inflame-able material in the residential houses/ plots.

Each resident of the colony shall also be educated about minimizing the loss of life and property in case of fire/ earthquake etc. For this purpose, the residents shall be required to install fire extinguisher and also keep sand-filled buckets in their houses.

Note: Rain water harvesting is mandatory in all the above categories.

8. Procedure for regularization of Unauthorized colonies:-

8.1 Submission of Application:- An application for regularization of a colony may be submitted by the developer or by Residents Welfare Association of the colony (hereafter referred to as applicant), along with layout plan superimposed with Khasra details on the prescribed application as annexed with the following documents (8 copies) to the Estate Officer (Regulatory) of the concerned authorities of the colonies outside Municipal Limits and Executive officer of the concerned municipality for the colonies with in municipalities.

8.2 List of Documents.- (a) In case the applicant is a developer:- Proof of ownership viz., Registered Sale Deeds or sale agreements on stamp paper/ power of attorney, Fard Jamabandi of the time when such a colony was sold/developed and the present Jamabandi.

(b) In case the applicant is a Residents Welfare Association:- Registered Sale Deeds or sale agreements on stamp paper/ power of attorney or Fard Jamabandi of the time when plots in such a colony was purchased

and the present Jamabandi, documents regarding the RESIDENTS WELFARE ASSOCIATION

Besides this, the following documents shall also be submitted along with application:-

- (i) Location Plan of the colony, superimposed on the google image;
- (ii) Site Plan, Layout Plan along with Numbering of plots of the colony superimposed with Khasra plan and Google image;
- (iii) The Applicant will furnish a self-certified certificate stating that the site of the colony does not violate any of the clauses as mentioned in Para-4 of this policy;
- (iv) The Applicant will furnish the existing Layout Plan showing the detail of plots sold, unsold, built up/ vacant plots, road circulation with width, space left for parks, public amenities, if any duly signed by the applicant himself or by his representative;
- (v) The Applicant will furnish the service plan showing sewage, water supply, electricity of the Colony, if any;
- (vi) Details of the development works carried out in the colony, if any;
- (vii) The Applicant shall give an undertaking to pay Composition Fee and any other charges levied under this policy;
- (viii) Demand draft/online payment of the charges/fee as specified in the policy; and
- (ix) Any other document, if required, under this policy.

8.3 Scrutiny of application.-

- (i) The received application shall be circulated within a week to concerned committee members;
- (ii) The committee shall meet in the presence of the applicant periodically and if there is any discrepancy in the documents found during scrutiny, it shall be conveyed to the applicant within three months from the date of receiving of application;
- (iii) The applicant shall submit the required documents within one month;
- (iv) After receiving all documents, if satisfied, the committee shall hold the colony fit for issue of Regularization/ Provisional Regularization Certificate, as the case may be, on fulfilment of criteria as stated in the policy on the following conditions:-
 - (a) that the area under roads, open spaces, parks and other utilities shall be transferred in the name of the Residents Welfare Association of the colony, if there is no registered Residents Welfare Association then the area under roads, open spaces, parks and other utilities shall be transferred in the name of the concerned urban development / local authority, as the case may be, which will ultimately be transferred to the name of Residents Welfare Association when formed. The maintenance of these area shall be the responsibility of the Residents Welfare Association or developer till the time Residents Welfare Association comes in operation.
 - (b) that the concerned urban development authority/ urban local body / gram panchayat shall not be responsible to maintain these areas.
- (v) After receiving all documents, if committee is not satisfied, the case shall be disposed off/ rejected within three months of receiving the documents as mentioned above in clause no. (iii).

8.4 Issuance of Demand Notice.- After the decision is taken that the colony is otherwise fit for Regularization/ Provisional Regularization Certificate, a demand notice for deposit of fee as per provisions of the policy with condition, if any, will be issued to the applicant within three months from the date of receiving the documents as mentioned in para 8.3(iii).

8.5 Issuance of Regularization/ Provisional Regularization Certificate.- The Regularization Certificate to colony shall be issued by the competent authority as per condition mentioned in this policy only after payment of full and final charges and after fulfilment of all conditions as stipulated under this policy to such applicant who has submitted registered sale deeds / fards for sold out plots as proof of sale along with the approved layout plan.

However, a Provisional Regularization certificate along with the provisional approved layout plan valid for a period of **one year** shall be issued by the competent authority as per condition mentioned in this policy only after payment of full and final charges and after fulfilment of all conditions as stipulated under this policy to those applicants who have submitted sale agreements / power of attorney for sold out plot as proof of sale with a condition to submit the sale deeds of these sale agreements / power of attorney within **one year** from the date of issuance of this provisional regularization certificate.

In case the applicant does not submits sale deeds of earlier submitted sale agreement/power of attorney of sold out plots within **one year**, the provisional regularization certificate shall be deemed to be cancelled. However, an opportunity shall be granted to applicant to give request for considering his/her case in the relevant category of unauthorized colony as mentioned in the policy as the case may be and the case shall be dealt with accordingly. The charges already deposited by the applicant shall be adjusted.

In case the applicant submits sale deeds of earlier submitted sale agreement/ power of attorney of sold out plots within **one year**, the final Regularization Certificate to colony shall be issued by the competent authority as per condition mentioned in this policy.

The Competent Authority will approve the layout plan and upload it on website and copies of the same shall be sent to the concerned Sub-Registrar and District Town Planner of the Department of Town and Country Planning (for sites outside Municipal limits) and to Municipal Town Planner, Local Government (for sites falling within Municipal limits). The regularization certificate of the colony shall be put on the website of the relevant competent authority for public information.

9. Committee for regularization of Un-authorized colonies:

The following committee shall scrutinize and give their recommendations for regularization of the colony.

A. Outside Municipal Limits:-

i.	Chief Administrator of the Authority Concerned	Chairman
ii.	Additional Chief Administrator of the Authority Concerned	Member
iii.	Senior Town Planner of the Circle Concerned (Department of Town and Country Planning)	Member
iv.	Superintending Engineer of the Authority Concerned	Member
v.	District Fire Officer Concerned	Member
vi.	Sub Registrar Concerned	Member
vii.	Estate Officer (Regulatory) of the Authority Concerned	Member (Convener)

B. Within Municipal Limits:

i.	Municipal Commissioner/ Deputy Director Local Government	Chairman
ii.	Senior Town Planner of the Municipality Concerned	Member
iii.	Superintending Engineer of the Municipality Concerned	Member
iv.	District Fire Officer Concerned	Member
v.	Concerned Sub Registrar	Member

vi. Executive Officer of Municipality Concerned Member (Convener)

Note: *The Chairman of the committee will personally chair the meeting and shall not delegate power to any subordinate.*

10. Composition Fee for compounding of unauthorized colonies:-

10.1 Composition Fee for unauthorized Residential colonies falling under categories defined in para 7 (b), (c) and (d)

Year of Establishment of unauthorized colony	Percentage of current Collector Rate	Remarks
Before 17.08.2007	0.5	Subject to maximum of Rs.3,00,000/- per acre (calculated on the basis of per sq. yd.)
From 17.08.2007 to 31.03.2013	2.0	Subject to maximum of Rs.10,00,000/- per acre (calculated on the basis of per sq. yd.)
From 1.04.2013 to 18.03.2018	6.0	Subject to maximum of Rs 20,00,000/- per acre (calculated on the basis of per sq. yd.)

Notes:

- (a) *The date of establishment shall be determined from the date of first registration of the plot.*
- (b) *The composition fee for unauthorized residential colonies to be charged from the developers shall be on per square yard basis which will be multiplied by 4840 and then by 0.5%, 2.0% or 6% of collector rate, as the case may be. For example, if the residential colony is developed before 17.08.2007 and the current collector rate for residential use is Rs. 2000/- per square yard for that area, then the composition fee in this case shall be calculated as given below:-*

$$2000 \times 4840 \times 0.5/100 = \text{Rs. } 48,400/-$$

So, in this case the colonizer has to pay Rs. 48,400/- per acre as composition fee.

- 10.2** The composition fee for commercial area / colony shall be based on the collector rate for the land to be used for commercial purpose. Wherever the collector rates are not fixed for commercial purpose, in such cases double the collector rate/ maximum limit of charges of residential area, as the case may be, shall be considered for regularization of commercial area/ colony.

The composition fee for industrial area / colony shall be based on the collector rate for the land to be used for industrial purpose. Wherever the collector rates are not fixed for industrial purpose, in such cases, half the collector rate/ maximum limit of residential area, as the case may be, shall be considered for regularization of industrial area/ colony.

- 10.3** The developer of the colony shall be bound to pay the fee / charges as fixed above by the Government under this policy for getting the offense compounded failing which he will face prosecution for violation of the provisions of said Act of 1995.

Provided that besides the promoter/ colonizer, the Residents Welfare Association may also deposit the fee / charges for the compounding of unauthorized colony.

- 11. Mode of payment of Composition fee.-** (i) 10% amount of total composition fee for compounding of the colony shall be deposited with the development authority, or local authority as the case may be, at the time of submission of application. The authority shall scrutinize the documents within three months and if found eligible for regularization, issue a demand notice to the applicant regarding

deposit of 15% amount of the project within one month from the issue of demand notice. The remaining 75% amount will be deposited with the concerned authority within one and half year in three equal instalments along with an interest @ 12% per annum.

- (ii) The composition fee received from the developers shall be deposited with development authorities in case of colonies falling outside Municipal limit and with concerned urban local bodies in case of colony falling within Municipal limit. For the colonies within Municipal Limits, the Department of Local Government shall be responsible for compounding and outside Municipal limits; concerned Development Authorities shall be responsible for the same.
- (iii) On receipt of full and final payment, the layout plan submitted by the developer shall be approved provided that the layout plan fulfils the conditions as mentioned under each category of colony in para 7.

- 12. Condition for regularization of colony.-** (i) The area under roads, open spaces, parks and other utilities shall be transferred in the name of the Residents Welfare Association of the colony, if there is no registered Residents Welfare Association then the area under roads, open spaces, parks and other utilities shall be transferred in the name of the concerned urban development / local authority as the case may be which will ultimately be transferred to the name of Residents Welfare Association when formed. The maintenance of these areas shall be the responsibility of the Residents Welfare Association or developer till the time Residents Welfare Association come in operation.
- (ii) The concerned urban development authority/ urban local body / gram panchayat shall not be responsible to maintain common areas.
 - (iii) In case public water supply and sewerage system is available around the unauthorized colony then the Competent Authority may consider to relax the condition of providing site for Sewerage Treatment Plant and Water Works subject to the condition that the applicant shall get the No Objection Certificate of that public authority for providing water supply and sewerage connection to the concerned colony on the payment of charges as prescribed, if deemed fit by the authority. A common Sewerage Treatment Plant /Water work site may also be considered for group of nearby unauthorized colonies with the technical advice of the concerned Superintending Engineer's of the authority based on requirement and other technical norms.
 - (iv) All pending applications received under all the previous policies will be dealt according to the provisions of the respective previous policies. However, there is an option for the colonizer who have already submitted his application under any of the previous policies or whose colonies have been rejected under the previous policies to give consent or apply fresh to deal/consider his/her case under this policy. Any amount already paid will be adjusted against amount payable under this policy, if any, excess amount deposited by the colonizer under the previous policies, shall not be refunded. For rejected application, the applicant shall have the option to apply afresh under this policy or may revive the old application under the previous policy under which he applied after giving the option in writing. However, the charges, if any, deposited by the applicant shall be adjusted but no refund shall be payable.
 - (v) The compounding of unauthorized colonies will be subject to the outcome of decisions regarding pending cases, if any, in this regard in any Court of law.
 - (vi) The Municipal Commissioners of Corporations shall be responsible to ensure the proper and timely implementation of this policy in respective Municipal Corporations and in case of other Municipal Towns, Regional Deputy Director, Urban Local Bodies will ensure the timely implementation of the policy. However, for areas outside municipal limits, it will be the responsibility of the concerned Chief Administrator of the Development Authority to ensure proper implementation of this policy.

- (vii) No unauthorized colony which was developed on or after 19th March, 2018 will be compounded under this policy.
- (viii) Further, the civil/criminal action by the Competent Authority against the unauthorized colony and the Promoter under said Act of 1995 shall be suspended upon receipt of 25% of the composition charges but shall be withdrawn by the Competent Authority only after receipt of 100% composition charges demanded in the demand letter. In case Promoter pays full and final charges demanded in the letter, no criminal case will be got registered against the developer of the colony. However, prosecution proceedings pending in the Court of Law shall not be withdrawn by the Competent Authority till 100% composition charges are deposited by the Promoter and Layout Plan of the Colony got approved from the Committee. If the Promoter does not get regularized his colony within a period of one year, the Competent Authority will initiate prosecution proceedings against the promoter as per provisions of under said Act of 1995. Provided that in case the Promoter does not apply for regularization, criminal action against him shall be continued.
- (ix) The developer of the colony shall be bound to pay the fee / charges as fixed above by the Government under this policy for getting the offense compounded failing which he shall face prosecution for violation of the provisions of said Act of 1995.
- (x) **"The colonies which will be regularized under this policy shall have to get them self registered under the Real Estate (Regulation and Development) Act, 2016 (Central Act of 2016) with the Real Estate Regulatory Authority", if applicable.**
- (xi) Pursuant to regularization, the colony may be classified as a 'Regularized Unauthorized Colony'. In no case will such colony be called a Punjab Urban Planning and Development Authority approved colony.

13. Identification of unauthorized developers/colonies.-The Developer of an unauthorized colony shall be allowed self-certification of layout plan, service plans, revenue/ ownership documents etc of his colony or there can be a third party verification, but where the developer of such colony does not come forward for regularization of his offence within four months time from the date of publication of this policy, the officers/ Authority as specified in para 13.1 shall identify within three months from the expiry of four months time, the person(s) who are/ were responsible to develop such illegal colony after making due investigation, scrutiny of relevant record and summoning of persons involved in the development of such colony. The concerned officer / authority shall submit its finding report to the Competent Authority. The colonizer of an unauthorized colony who has not applied within a stipulated period for regularization of his colony but applies after identification by the authority within a period of three months from the expiry of four months time, then he will be charged 20% extra of composition fee as penalty and criminal proceedings may be also be initiated against him. The Competent Authority shall get the criminal case registered within three months or take other necessary action under relevant Acts against the promoter of unauthorized colonies who do not apply for regularization under this policy.

Provided, however, that if any colony not identified with in this period it will not debarred later but action will be taken as per the provisions of this policy.

13.1 The un-authorized colony shall be identified by the following officer, namely:-

- (i) Estate Officer (Regulatory), Sub-Divisional Magistrate, Executive Magistrate for areas falling outside municipal limits under the supervision of Chief Administrator of Concerned Authority; and
- (ii) Assistant Commissioner / Joint Commissioner, Executive Officer of concerned Municipal Corporation/ Municipal Council/ Nagar Panchayat, as the case may be, for areas falling within municipal limits, under the supervision of the, Commissioner of concerned Municipal Corporation or Regional Deputy Director, as the case may be.

13.2 The authority to render technical advice for Change of Land Use and approval of layout plan.- (i)

The technical advice for approval of Change of Land Use /layout plans for all sized unauthorized colonies falling outside Municipal limits, covered under this policy shall be rendered at the level of concerned Senior Town Planner of the Department of Town and Country Planning, Punjab.

- (ii) The technical advice for approval of Change of Land Use /layout plans for all sized unauthorized colonies falling within Municipal limits, covered under this policy shall be rendered at the level of Senior Town Planner of the department of Local Government.

13.3 Consequences for non-submission of application for regularization of un- authorized Colonies.- In case an application is not submitted by the concerned Promoter/Residents Welfare Association/ Co-operative Society for regularization of unauthorized colony, the following consequences shall follow:-

- (i) Such Colony shall remain as unauthorized and offence shall be treated as continuing against the promoter and penal action which includes lodging of First information report will be initiated under the provisions of said Act of 1995;
- (ii) No connection for water supply and other services like sewerage, drainage, electricity etc shall be provided to such colony;
- (iii) No Registrar or Sub-Registrar appointed under the provisions of the Registration Act, 1908, shall register sale deed or any other document regarding sale of land or plots or buildings falling under unauthorized colony;
- (iv) No building plan shall be approved by any Competent Authority on any plot falling under such unauthorized colony; and
- (v) Other enforcement actions including demolition of the unapproved building, if any, falling under such colony may be initiated.

14. Regularization of plots in an unauthorized colony.-

A plot holder may apply for the regularization of his plot or building falling in an unauthorized colony.

In unauthorized colonies a number of plots are sold out and many of the plot holders may have constructed buildings. Majority of such colonies are without pucca road network and are devoid of other basic amenities like water supply, sewerage network and electricity etc. The provision of such services will involve huge expenditure which should be shared by plot holders/ owners of an unauthorized colony. To share this expenditure the plot holders/ owners shall have to pay the development charges. These charges shall be in addition to the composition fee to be charged for regularization of an unauthorized colony. The concerned authority/ local body shall provide above said basic services in a colony to the extent of the amount received from composition of colony and development charges received from plots of such colony:

The charges for compounding of an un-authorized plot shall be called development charges as this fund will be primarily used for development works to be carried out for that colony.

Development charges: The development charges shall be payable by the plot holders as fixed under this policy.

Development charges of residential plots (outside Municipal Limits):-

Plot Size	Development charges for residential plots per sq.yd in rupees
Upto 50 yd ²	0.5 % of current Collector Rate
Above 50 to 100 yd ²	1.0% of current Collector Rate
Above 100 to below 250 yd ²	4.0% of current Collector Rate

250 yd ² and above	6.0% of current Collector Rate
Development charges of commercial plots (outside Municipal Limits):-	
Plot Size	Development charges for commercial plots per sq.yd in rupees
Upto 25 yd ²	9% of current Collector Rate
Above 25 yd ² below 50 yd ²	18% of current Collector Rate
50 yd ² and above	25% of current Collector Rate

Note:

- (i) *Within Municipal Limits the current development charges for residential plots and commercial plots as fixed by the department of Local Government will be applicable.*
- (ii) *The industrial plots and institutional plots shall be charged at half the rates as fixed for residential plot in the above table.*
- (iii) *The plot size as mentioned in the registered sale deed or full and final payment agreement on stamp paper shall be considered for levying development charges even if the plot is owned jointly by more than one owner, i.e., the rates will not be calculated according to the share of the co-owners in registered sale deed or agreement, rather this calculation will be done on area transaction involved in the sale deed/ agreement.*
- (iv) *The regularization fee on buildings shall be charged proportionately to the use of the building, i.e., as per the percentage of area used for residential, commercial, institutional use etc.*
- (v) *Development charges and regularization fee on buildings shall be retained by the Department of Local Government, Punjab, if the site falls within municipal limits and by the concerned Development Authority, if the site falls outside Municipal limits.*
- (vi) *Where building plans have already been approved by the Competent Authority or where No Objection Certificate has been issued prior to the 20th January, 2005 in that case, the regularization fee as mentioned above shall not be charged.*
- (vii) *These charges shall be increased by 15% from 1st April of every year starting from 1st April, 2019.*

In addition to development charges for plots, in case a building has been constructed on the plot, Regularization fee on a unauthorized building shall be charged in lump-sum as under:

Category of Building	Regularization fee per sq. feet of covered area within Municipal Limits	Regularization fee per sq. feet of covered area outside Municipal Limits
Residential	Rs.37.5	Rs.7.50
Commercial	Rs.75.00	Rs.45.00
Industrial	Rs. 75.00	Rs.7.50
Institutional	Rs. 75.00	Rs. 7.50

Note:

- (i) *The regularization charges on buildings shall be charged proportionately to the use of the building, i.e., as per the percentage of area used for residential, commercial, institutional use etc.*

- (ii) *Development charges and regularization fee on buildings shall be retained by the Department of Local Government, Punjab, if the site falls within municipal limits and by the concerned Development Authority, if the site falls outside Municipal limits.*
- (iii) *Where building plans have already been approved by the Competent Authority or where No objection Certificate has been issued prior to the 20th January, 2005 in that case, the regularization fee as mentioned above shall not be charged.*
- (iv) *These charges shall be increased by 15% from 1st April of every year starting from 1st April, 2019.*

15. Development charges for plot holders who apply after the cut-off date under this policy:

It has come to the notice of the Government that under the previous policies for the compounding of unauthorized colonies in most of the cases the percentage of regularization of plots and buildings in a colony has not reached upto the level of 70% fixed under the policies for a colony to qualify for the provision of water supply, sewer and pucca streets etc. To solve this difficulty the threshold of 70% has already been reduced to 50% under policy notified on the 20th April, 2018 so that the basic services could be provided to the residents of maximum number of un- authorized colonies. As the services to be laid out in the entire colony has to maintain the continuity of the network, therefore there remains a possibility of misuse of these services by those plot/ building owners who have not paid regularization charges. Therefore, to plug the misuse of basic services a provision is made under this policy whereby the remaining plot/ building owners shall be eligible to apply for regularization in future with condition that such plot/ building should fall in un- authorized colonies developed before 19.03.2018 and building should also have been constructed before 19.03.2018, The owners of such plots/ buildings has to pay the development charges in addition to regularization fee for construction of the building as fixed under this policy for getting their building plan approval and to get connection of water supply, sewer, electricity etc.

16. General Conditions.- (i) The plots sold before the 9th August, 1995 (the date of on which the Punjab Apartment and Property Regulation Act, 1995 came into force) falling in unauthorized colonies need not to apply under this policy for regularization, but the plots sold after the said date are covered under this policy.

- (ii) **Residential buildings of or upto 250 sq. yds plot area:-** In case of residential buildings having less than 250 sq. yds plot area, the applicant shall submit an application along with self attested building plan of the existing building and a certificate from an Architect / Civil Engineer regarding structure safety of the building . The applicant shall also certify that the building is constructed before the 19th March, 2018.
- (iii) **Residential buildings above 250 sq yd plot area and other buildings:-** The applicant shall submit an application along with a building plan of existing building prepared and duly signed by a qualified architect. The applicant shall also submit structural safety certificate from a structure engineer. In this case the architect shall also certify that the building is constructed before the 19th March, 2018.
- (iv) Development Charges / Regularization fee shall be paid by the plot holders/ building owners as given below:
 - (a) 25% of the total amount of development charges and regularization fee shall be deposited at the time of submission of application to the concerned authority. The authority shall scrutinize the documents within two months and issue a demand notice to the applicant regarding deposit of 25% amount of development charges / regularization fee within one month from the issue of demand notice. The remaining 50% amount will be deposited to the concerned local body/ development authority, as the case may be, within one year in two equal instalments along with

an interest @ 12% per annum.

- (b) A rebate of 5% shall be allowed, if the total regularization charges are paid in lump sum along with the application.
- (v) In colonies under **category 'c' of para 7**, where above 50% of the plots are sold and where the road width is 18'-0" or above but less than 20'-0", it shall be mandatory for the plot holders of the vacant plots to leave requisite strip of proportionate land from their plots on each side of the road for road widening, to make it 20'-0" wide. The requisite condition shall be imposed at the time of regularization of plots and this shall be ensured while granting approval of building plans of these vacant plots.
- (vi) The existing residential buildings shall be regularized on as is where is basis subject to maximum 50% excess of the permissible Floor Area Ratio (FAR) and fire safety, parking requirement, public safety/ security, public convenience shall not be compromised as are in a regularized colony. However, new construction in a vacant plot or any addition to the existing building shall be approved as per prevailing building rules.
- (vii) In case of non residential buildings, it shall be regularized on as is where is basis subject to maximum 50% excess of the permissible Floor Area Ratio (FAR) and fire safety, parking requirement, public safety/ security, public convenience shall not be compromised. The owner shall have to make such structural changes in the building as required within a period of six months from the date of approval and also submit mandatory clearances from other departments, if required in this period. In case he fails to fulfill, any of the conditions within this period, the approval granted to him shall be deemed to be cancelled and the owner of the building shall be proceeded against as per provisions of the law.
- (viii) All pending applications received under all the previous policies will be dealt according to the provisions of the respective previous policies. However, there is an option for the plot holder who have already submitted his application under any of the previous policies or whose plot has been rejected under the previous policies to give consent or apply fresh to deal/consider his/her case under this policy. Any amount already paid will be adjusted against amount payable under this policy, if any, excess amount deposited by the plot holder under the previous policies shall not be refunded. For rejected application, the applicant shall have the option to apply afresh under this policy or may revive the old application under the previous policy under which he applied after giving the option in writing. However, the charges if any, deposited by the applicant shall be adjusted but no refund shall be payable. An interest @ 8% per annum shall be chargeable on the pending payments under previous policies instead of 12% as mentioned under previous policies.

17. Procedure for compounding unauthorized plots/ buildings in unauthorized colonies:

17.1. Submission of application:

The application for regularization of unauthorized plot/ buildings may be submitted as per prescribed Performa by the owner of the building / plot along with the following documents:

- (i) Application form for regularization of plots/ buildings for applicants and certificate form for regularization of plots/ buildings to be issued by the Competent Authority has been prepared and shall be uploaded on website of the respected competent authorities for public information.
- (ii) Proof of ownership viz., Registered Sale Deed/ Fard Jamabandi, sale agreement stamp paper, Power of Attorney as the case may be. The agreement prepared by pasting revenue stamps will not be considered valid for the purpose of regularization.
- (iii) Location Plan of the site showing the detail of surrounding area.
- (iv) **In case of residential building upto 250 sq. yd plot area:-** A fully dimensioned plan of the plot/

building showing detail of plot area/ constructed area on all floors (in case of building) along with service plan of the building duly prepared and signed by the owner along with a certificate of structure safety from an Architect/ Civil Engineer.

- (v) **In case of residential building for more than 250 sq. yd plot area and other buildings:** - The above mentioned documents shall be duly signed by a qualified architect and the owner. The applicant shall also submit structural safety certificate from a structural engineer.
- (vi) Self Certificate by the applicant stating that the site of the plot/ building does not violate any of the provisions of this policy.
- (vii) **In case of high rise buildings,** the clearance from Fire department and Airport Authority of India shall be mandatory, if the building falls in the air funnel of the Airport/ Air Force Station.
- (viii) Undertaking from the owner to pay Regularization Charges or any other charges levied under this policy.
- (ix) Any other document, if required.

17.2 Scrutiny of Application:

- (i) The Competent Authority shall verify the location of plot/ building and the documents attached with the application within a period of two months from the date of application and convey to the applicant the demand notice/ observations, if any. The Competent Authority will also ascertain that the plot/ building being regularized shall fulfil the provisions and conditions of this policy and does not fall under any category of land as mentioned at Para-4.2 of this policy.
- (ii) The applicant shall deposit the required charges along with modified building plans, if required (in case of a building) within one month. The Competent Authority shall approve the plot/ building plans within one month from the receipt of full and final charges and complete documents, if satisfied. The legal proceedings, if any, will be withdrawn only after the receipt of final payment of total charges.

17.3 Issuance of Regularization/ Provisional Regularization Certificate for Plot.-After scrutiny, as per the provisions of this policy, if the competent authority find fit for regularization and after full and final payment, the individual plot/ building in an unauthorized colony will be regularized of those owners of the plots/ buildings only, who have registered sale deed of the plots along with the revenue documents irrespective of whether the colony has been regularized or not.

However, in case the applicant has sale agreement/ power of attorney of the plot in that case provisional regularization certificate with validity of **three months** shall be issued after receiving full and final payment with a condition that the plot holder shall get registered sale deed (registry) of his/her plot purchased on sale agreement / power of attorney **within three months** from the date of provisional regularisation certificate. However, no water supply and electric connection and no building plan shall be approved on the basis of this provisional regularisation certificate within these three months.

In case the plot holder does not submit sale deeds of his/her plots purchased on sale agreement / power of attorney within three months, the provisional regularization certificate shall deemed to be cancelled.

In case the plot holder submits sale deeds of his/her plots purchased on sale agreement / power of attorney within three months from provisional regularization certificate, then final regularization certificate shall be issued by the competent authority. The water supply, electric connection and building plan shall only be issued/approved after issuance the final regularization certificate.

17.4 Regularization of unsold plots of colonizer.- A colonizer can also apply for regularization of plots of his left out stock subject to the following conditions:-

- (i) 50% of the inventory of unsold plots submitted by colonizer at the time of application can be considered

for regularization only after the submission of application for regularization of his colony along with 10% payment of the composition fee for regularization of the colony.

- (ii) Remaining 25% of the inventory of the unsold plot can be considered for regularization only after the 50% payment of the composition fee for regularization of the colony.
- (iii) Remaining 25% of the inventory of the unsold plot can be considered for regularization after the final regularization of the colony on payment of 100% charges.

Note: The procedure, fee/ charges, mode of payment and other conditions etc. for regularization of these plots shall remain same as per provision of this policy.

17.5 Sanctioning of Building Plans.- The Competent Authority to approve the building plans of regularized plots within Municipal limits shall be the Commissioner, Municipal Corporation or the Executive Officer of Municipal Corporation, as the case may be, and for area outside Municipal limit, building plan shall be approved by concerned Estate Officer (Regulatory). These building plans shall be governed by the Punjab Urban Planning and Development Building rules 2018, as amended from time to time.

18. Utilization of charges.- In case of unauthorized colony falling outside Municipal limits, it will be the responsibility of the Chief Administrator of the concerned Special Development Authority to provide basic infrastructure such as water supply, sewerage, paved streets etc. to the residents of the colony, out of the funds collected from regularization of colonies/ plots/ buildings falling under that colony. In case of an unauthorized colony falling within municipal limits of a Corporation, the Commissioner of the concerned Municipal Corporation will be responsible to provide basic infrastructure out of the funds collected by regularizing colonies/ plots/ buildings. However, in case of other municipal towns, it will be the responsibility of the Regional Deputy Director, Urban Local Bodies to direct the concerned Municipal Council to provide basic services in an unauthorized colony out of the funds collected from regularizing colonies/plots/ buildings falling in that colony. The funds received by regularization of colonies/plots/ buildings in an unauthorized colony will be utilized for providing basic services to the residents of such colony only and nowhere else. The funds collected from the regularization of the colony and the plot/buildings falling within that colony upto 31st March each year will be spent within the next financial year on the development/provision of infrastructure for that colony. The Residents Welfare Association of the concerned colony shall make request for prioritization of the development/infrastructure works required for that colony which shall be honoured by the concerned authority and the amount collected from the regularization of that colony shall be spent on the colony in consultation with Residents Welfare Association. The expenditure shall be incurred only if minimum 50% plot holders have deposited the development charges and the regularization fee. Maintenance of common facilities and infrastructure will be done by Developer/ Colonizer or Residents Welfare Association or Co-operative Society.

19. Maintenance of a separate account.- A separate account shall be maintained for each colony and the funds collected by regularization of colonies/ plots/ buildings falling in that colony will be utilized for providing basic services and External Development to the residents of that colony only.

20. Consequences for non submission of application for regularization of un- authorized plots/ buildings.- In case an application is not submitted by the concerned owner of the plot/building for regularization under this policy, the following consequences shall follow:-

- (i) Such plot/building shall remain as unauthorized and no connection for water supply and other services like sewerage, drainage, electricity etc shall be provided to such plot/ building.
- (ii) No building plan shall be approved by the Building Plan Sanctioning Authority on such unauthorized plots.
- (iii) No sale deeds of the plots or buildings falling in unauthorized colonies shall be executed without getting Regularization Certificate/ valid Provisional Regularization Certificate.

(iv) Other enforcement actions including demolition of such unapproved building, if any, may be initiated.

21. Appeal.- Any applicant aggrieved by an order passed by the Competent Authority may prefer an appeal to Chief Administrator, Punjab Urban Development Authority (PUDA), S.A.S Nagar or any other duly notified authority, for areas outside municipal limits or Director, Local Government for areas within Municipal Limits (as the case may be) who will be the Appellate Authority, within thirty days from the receipt of the order provided that the applicant has paid the necessary charges and submitted documents as specified in this policy.

22. Application form for regularization.- Application form for regularization of colonies and plots/ buildings and the form of certificate for compounding of colonies and regularization of plots/ buildings to be issued by the Competent Authority is available on website of the respected competent authorities for public information.

23. Provisions to control future development of unauthorized colonies.- (i) In order to have strict control on the development of unauthorized colonies and building activity in future, stringent legal action shall have to be taken under the provision of the Punjab Apartment and Property Regulations Act, 1995 which provide punishment with imprisonment for a minimum term of three years which may extend to seven years and with minimum fine of rupees 2 lac, which may extend to rupees five lac on conviction of the Colonizer of an unauthorized colony.

- (ii) Under the provisions of the said Act of 1995 the Competent Authority has also been empowered to order to demolish or remove or stop construction of such unauthorized building or colony after giving a notice of thirty days and providing a reasonable opportunity of being heard to the person(s) concerned.
- (iii) The concerned authorities will send a list of all approved colonies along with layout plan superimposed on khasra plan to the Sub-Registrar/ Joint Sub-Registrar to get plot registered in regularized unapproved colonies. No plot falling within unauthorized colonies shall be registered.
- (iv) Besides the above said measures no water supply, sewer or electric connection will be allowed and no sub registrar/ joint sub registrar shall register their sale deed or any other document regarding the sale of that unauthorized plot or building or colony.
- (v) A committee shall be constituted separately in the respective urban development authorities and urban local bodies' having members from the department of police and revenue not below the rank of Deputy Superintendent of Police and Sub-Registrar respectively.

No un-authorized colony which has been developed on and after the 19th March, 2018 shall be regularized and stringent actions as mentioned above shall be taken against the colonizer.

This policy shall be in supersession of the previous policy dated the 20th April, 2018.

Chandigarh
The 18th October, 2018

VINI MAHAJAN, IAS
Additional Chief Secretary to Government of Punjab
Department of Housing and Urban Development

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(Housing- Branch)

NOTIFICATION

The 18th October, 2018

No. 18/55/17-5hg2/1823.-In view of various difficulties being faced by the Promoters due to lack of any policy to surrender the license, the Governor of Punjab is pleased to notify the following policy for surrender of license issued under the provisions of the Punjab Apartment and Property Regulation Act, 1995:-

1. Surrendering of license of the colony would be allowed in the following cases:-

- (i) Where the Promoter has not sold/allotted/ leased out any plot/ apartment nor has he undertaken any development works at the site of the colony. In such cases, the promoter will submit an affidavit attested by an Executive Magistrate assuring that no sale deed/allotment/lease deed for any plot/ apartment/villa/house has been executed in the said colony.
- (ii) Where the promoter has sold/allotted/leased out any plot/apartment in his licensed colony, then in such cases irrevocable consent from the allottees/plot holders/apartment owners in the form of an affidavit attested by an Executive Magistrate regarding no claim on the said property, will be submitted by the Promoter.

Provided that if any construction has been raised in the licensed colony, the same has to demolished by the Promoter first, restoring the land to its original form, to the satisfaction of the Competent Authority.

2. Before surrendering the license of the colony, a 30 days public notice inviting objections from the public will be got published by the Competent Authority, the cost of which should be paid by the Promoter, in two leading National Daily Newspapers having wider circulation in the locality and in case any objection is received, then the Competent Authority, after giving an opportunity of hearing to the parties concerned, shall take an appropriate decision for initiating further proceedings for surrender of License.
3. The charges deposited by the Promoter on account of Change of Land Use (CLU), License fees, SIF will not be refunded. Further, forfeiture of 25% of the total amount of EDC received against that project, without interest/penal interest, shall be made in favour of the Authority and the balance amount of EDC would be refunded without any interest to the Promoter. In cases where less than 25% amount of EDC has been paid, then the entire amount of EDC deposited by the Promoter shall be forfeited. But if EDC or any other amount against any other project of the same Promoter is due to be paid to the Authority, then in that case the balance amount of EDC will not be refunded to the Promoter rather the same shall be adjusted against the outstanding dues of other project of the same Promoter. However, the dues shall be treated as transferred from the date of issue of order of cancellation of license only. The balance amount of EDC shall be refunded to the Promoter without any interest, only if no amount of EDC is due from other projects of the same Promoter.
4. The Promoter shall be solely responsible for any legal claims/liabilities in case he/she has availed any bank loan etc. on the basis of license. The Authority/Government would not be responsible for any legal implications. The Promoter will submit an undertaking in the form of an affidavit duly attested by an Executive Magistrate, in this regard.
5. The Promoter will surrender the original license and approved Layout Plan/Building plan to the Concerned Authority before the issuance of approval for surrender of license.
6. Before issuance of approval for surrender of license, the Promoter shall submit an affidavit duly attested by an Executive Magistrate declaring therein that he/she will not sell any plot by sub dividing the land under the colony without obtaining requisite approval/license from the Competent Authority, failing which prosecution proceedings under the appropriate provisions of the Punjab Apartment and Property Regulation Act, 1995, will be initiated against the promoter.
7. After surrender of the license has been approved by the Competent Authority, the Promoter may seek fresh permission for CLU as per the guidelines of the Department of Town & Country Planning.
8. Approval for surrender of license shall be uploaded on the website of PUDA/Authority concerned for information of General Public.

Chandigarh

The 18th October, 2018

VINI MAHAJAN, IAS

Additional Chief Secretary to Government of Punjab
Department of Housing and Urban Development

(TO BE PUBLISHED IN PUNJAB GOVT. GAZETTE EXTRA ORDINARY)

DEPARTMENT OF WATER RESOURCES

(WORKS BRANCH)

NOTIFICATION

The 15th October, 2018

No.15/6/2016-IW(2)/1333354/1.-It is hereby Notified under rule 63 of Rules framed under the Northern India Canal and Drainage (Act, 8 of 1873) that the weather permitting and having due regards to the status of crops, Ropar Headworks, Bist Doab Canal System and Sirhind Canal System will remain closed from 10-11-2018 to 30-11-2018, (both days inclusive) for 21 days to undertake repair of gate and gearing system of Ropar Headworks (Under Project "Renovation and Modernization of Regulator Structures in the State of Punjab") and completion of remaining work of lining from head to RD 3000 of Patiala Feeder (under project "Rehabilitation of 1st Patiala Feeder & Kotla Branch Project").

Chandigarh

The 12th October, 2018

(SARVJIT SINGH IAS)

Principal Secretary to Govt. Punjab,
Department of Water Resources.

(ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਅਸਾਧਾਰਨ ਗਜ਼ਟ ਵਿਚ ਛਾਪਿਆ ਜਾਵੇ)
ਜਲ ਸਰੋਤ ਵਿਭਾਗ
(ਕਾਰਜ ਸ਼ਾਖਾ)

ਅਧਿਸੂਚਨਾ

ਮਿਤੀ 15 ਅਕਤੂਬਰ, 2018

ਨੰ:15/6/2016-ਸਿੰਕਾ(2)/1333354/1.-ਨਾਰਦਰਨ ਇੰਡੀਆ ਕੈਨਲ ਅਤੇ ਡਰੇਨੇਜ (ਐਕਟ 8 ਆਫ 1873) ਦੇ ਅਧੀਨ ਜਾਰੀ ਰੂਲਾਂ ਦੇ ਰੂਲ 63 ਅਧੀਨ ਇਹ ਅਧਿਸੂਚਿਤ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਮੌਸਮ ਤੇ ਫਸਲਾਂ ਦੀ ਹਾਲਤ ਨੂੰ ਮੁੱਖ ਰੱਖਦਿਆਂ ਹੋਇਆਂ, ਰੋਪੜ ਹੈਡ ਵਰਕਸ ਦੇ ਗੇਟ ਐਂਡ ਗੇਜਿੰਗ ਸਿਸਟਮ ਦੀ ਮੁਰੰਮਤ ਦੇ ਕੰਮ (Under Project "Renovation and Modernization of Regulator Structures in the State of Punjab") ਅਤੇ ਪਟਿਆਲਾ ਫੀਡਰ ਦੇ ਹੈਡ ਤੋਂ ਬੁਰਜੀ 3000 ਤੱਕ ਦੇ (ਰੀਹੈਬਲੀਟੇਸ਼ਨ ਆਫ 1st ਪਟਿਆਲਾ ਫੀਡਰ ਅਤੇ ਕੋਟਲਾ ਬ੍ਰਾਂਚ ਪ੍ਰੋਜੈਕਟ) ਅਧੀਨ ਰਹਿੰਦੇ ਕੰਮਾਂ ਨੂੰ ਮੁਕੰਮਲ ਕਰਨ ਲਈ ਰੋਪੜ ਹੈਡ ਵਰਕਸ, ਸਰਹੰਦ ਨਹਿਰ ਸਿਸਟਮ ਅਤੇ ਬਿਸਤ ਦੁਆਬ ਕੈਨਲ ਸਿਸਟਮ ਦੀ ਮਿਤੀ 10-11-2018 ਤੋਂ 30-11-2018 ਤੱਕ (ਦੋਵੇਂ ਦਿਨ ਸ਼ਾਮਿਲ) 21 ਦਿਨਾਂ ਦੀ ਪੂਰਨ ਬੰਦੀ ਹੋਵੇਗੀ।

ਮਿਤੀ 12 ਅਕਤੂਬਰ, 2018

(ਸਰਵਜੀਤ ਸਿੰਘ, ਆਈ.ਏ.ਐਸ)

ਪ੍ਰਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ,
ਜਲ ਸਰੋਤ ਵਿਭਾਗ।

DEPARTMENT OF FOOD, CIVIL SUPPLIES AND CONSUMERS AFFAIRS

(FOOD DISTRIBUTION BRANCH)

NOTIFICATION

The 20th August, 2018

No. 2FD(513)-2254.- In exercise of powers conferred by section 40 of the National Food Security Act, 2013 (Central Act No. 20 of 2013), the State Government is pleased to make the following amendment in the Punjab Food Security Rules, 2016 published in the official gazette on April 22nd, 2016, namely:

In the said rules, after rule 29 the following clause is inserted:-

“30. Manner of Social Audit. - (1) In order to ensure transparency in the Public Distribution System

under the Act, the State Government shall make available all records to the general public, for conducting social audit in the rural areas and urban areas, as the case may be, the records relating to allotment, storage and distribution of ration commodities for public distribution at a fair price shop, for the distribution cycle, -

- (i) from the 1st April to the 30th September; and
- (ii) from 1st October to the 31st March,

shall be placed before the Gram Sabha or at Ward level, in the presence of the elected representative(s) of the local authority concerned, as the case may be, by the fair price shop owner and the Food Inspector concerned, on the 26th day of January and 15th day of August each year, respectively, for the social audit.

(2) After the audit of the relevant records at the Gram Sabha in the rural area and in the urban areas, as the case may be, the report of each local authority alongwith their recommendation, shall be submitted to the Block Level Vigilance Committee. The Block Level Vigilance Committee after examining the aforesaid report (alongwith relevant recommendations), shall forward the same to the District Level Vigilance Committee, alongwith its observations, if any, for further necessary action.

(3) The District Controller, Food, Civil, Supplies and Consumer Affairs of the district concerned, after compiling the reports so received from the rural and urban area, after necessary examination at the district level, shall take a necessary decision thereon, and shall further send the complete report (alongwith the action taken at its own level), to the State Government for information and further necessary action.

(4) The aforesaid report alongwith recommendations, shall consist of the views or grievances or suggestions, as the case may be, received from the general public, with relation to the functioning of the fair price shops, which shall be made public alongwith social audit report and action taken thereon, on the portal of the department, for the purposes of transparency, on the issues concerning the, -

- (i) updation of list of beneficiaries from time to time;
- (ii) availability of stocks with the fair shop from time to time;
- (iii) distribution of stocks by the concerned fair price shop as per eligibility.
- (iv) prices of food grains to be distributed;
- (v) opening and closing timings of fair price shop;
- (vi) awareness and effective redressal of grievance(s) and the mechanism there for;
- (vii) use of technology, for proper identification of beneficiaries, and their target; or
- (viii) any other issue relating thereto.”

K.A.P. SINHA,

Principal Secretary to Government of Punjab,
Department of Food, Civil Supplies and
Consumers Affairs.